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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 VICTOR HUGO CUELLAR,) Case No. CV 06-2814 VBF(JC)
12 Petitioner,) (PROPOSED)
13 v.) ORDER ADOPTING FINDINGS,
14 MIKE EVANS, Warden,) CONCLUSIONS, AND
15 Respondent.) RECOMMENDATIONS OF
16) UNITED STATES MAGISTRATE
17) JUDGE
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Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for Writ of Habeas Corpus by a Person in State Custody (the “Petition”) and all of the records herein, including the attached Report and Recommendation of United States Magistrate Judge (“Report and Recommendation”), and petitioner’s objections to the Report and Recommendation (“Objections”). The Court has further made a *de novo* determination of those portions of the Report and Recommendation to which objection is made. The Court concurs with and adopts the findings, conclusions, and recommendations of the United States Magistrate Judge and overrules the Objections.

IT IS ORDERED that Judgment be entered denying the Petition and dismissing this action with prejudice.

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1 IT IS FURTHER ORDERED that the Clerk serve copies of this Order, the
2 United States Magistrate Judge's Report and Recommendation, and the Judgment
3 herein on petitioner and counsel for respondent.

4 LET JUDGMENT BE ENTERED ACCORDINGLY.

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6 DATED: March 4, 2010

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10 HONORABLE VALERIE BAKER FAIRBANK
11 UNITED STATES DISTRICT JUDGE
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